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INTELLIGENCE GROUPS SEEK NEW AUTHORITY TO GET INFORMATION

PROPOSAL STILL UNDER REVIEW

Use of Searches, Surveillance and Infiltration of Organizations Would Again Be Allowed

By ROBERT PEAR
Special to The New York Times

WASHINGTON, March 9 — The Reagan Administration's newly appointed intelligence officials are asking for renewed authority to gather information on Americans in this country and abroad, using such techniques as searches, physical surveillance and the infiltration of domestic organizations.

The authority is being sought in a proposed executive order that would, in effect, overturn many of the regulations imposed on intelligence-gathering activities by Presidents Ford and Carter.

An interagency working group led by Central Intelligence Agency officials has proposed numerous changes in Executive Order 12036, the basic framework for all intelligence activities, signed by Mr. Carter Jan. 24, 1978. The revised order, though now treated as secret, would become public and would have the force of law if signed by President Reagan.

Proposals 'Still Under Review'

A White House spokesman said today that the proposals were "still under review" and had been circulated within the intelligence community for comment.

The proposed order would recast Mr. Carter's decree in terms that authorize, rather than restrict, the collection of intelligence information and the use of such techniques as searches, surveillance and infiltration, which are generally called "intrusive" by intelligence experts.

For example, the basic controls established by Mr. Carter were set forth in Section 2 of his order, titled "Restrictions on Intelligence Activities," including the category "Restrictions on Certain Collection Techniques." The proposed order would replace those headings with "Conduct of Intelligence Activities" and "Use of Certain Collection Techniques."

The draft order would downgrade the role of the Attorney General in scrutinizing intelligence activities from a legal point of view; remove the req
that information be collected
"least intrusive means possible
some of the restrictions on infilt
domestic organizations for int
purposes, and narrow the defi
"United States persons" entitle
tection under the order.

The proposal also weakens a s
Mr. Carter's order that require
gence officials to report evidence
ble crimes to the Attorney Genera

The proposed order says tha
gence agencies should respect estab-
lished concepts of privacy and civil liber-
ties." It would not change those sections of Mr. Carter's order that prohibited assassinations and curtailed experimental research on human beings. But it would give the C.I.A. greater latitude to collect information in this country.

The proposed executive order makes no reference to the rights of journalists. It broadens the type of surveillance that may be conducted by an agency investigating the "unauthorized disclosure" of intelligence information, and conceivably reporters might be included in such an investigation.

Many of the restrictions that the proposed order would roll back were first imposed by President in 1976 on the recommendation of a Presidential commission headed by Vice President Nelson A. Rockefeller after the commission had documented extensive spying on American citizens both in this country and abroad by the Central Intelligence Agency.

Capability Against Terrorism

The impetus for the new executive order grew out of a meeting in late January or early February in which intelligence officials discussed terrorism with President Reagan. The White House asked various agencies to suggest changes in intelligence regulations to improve antiterrorism capabilities and approved a suggestion by the C.I.A. for a study group to make specific recommendations.

William J. Casey, the Director of Central Intelligence, and Daniel B. Silver, general counsel of the intelligence agency, took the initiative in revising President Carter's executive order, but the study group included representatives of all the other agencies that collect and produce intelligence information.

Mr. Carter's order, which remains in effect until superseded, says: "The

used for intelligence purposes, unless the President has approved the general type of activity involved and the Attorney General has approved its use in a specific case, after finding "probable cause to believe" that the target is an agent of a foreign power.

Less Official Approval Required

The draft order drops both the "probable cause" standard and the requirement of Presidential approval. It says that "the Attorney General may approve the use of such techniques by category" or delegate his approval authority to the head of any intelligence agency.

The existing order says that intelligence agencies may collect, store and disseminate information about a person who is "reasonably believed" to be acting on behalf of a foreign power or engaging in international terrorist or narcotics activities.

The draft order drops the requirement for a "reasonable" belief. It would permit agents to collect information about a person "who has acted or may be acting on behalf of a foreign power" or who "has engaged or may be engaging" in terrorism or the narcotics trade.

Under the existing order, the head of each intelligence agency must establish written procedures for the conduct of intelligence activities. The Attorney General is given broad, independent authority to review, approve and establish such procedures in the interest of protecting constitutional rights and privacy. The draft order would limit the Attorney General's role to checking the legality of guidelines submitted to him.

Under President Carter's order, the Federal Bureau of Investigation was the only intelligence agency that could search an office or home without the consent of the owner or occupant. The draft order authorizes other agencies to conduct such searches, saying they "shall be coordinated with the F.B.I."

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